

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Election
Horgan
5/24/03

In re Patent application:

ARAKAWA *et al.*

Atty. Ref.: 723-985

Serial No.: 09/726,224

Group Unit: 3713

Filed: November 28, 2000

Examiner: Nguyen, B.

For: PORTABLE GAME SYSTEM AND CAMERA
ACCESSORY THEREFOR

October 11, 2002

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement dated October 2, 2002, Applicants elect without traverse the invention of Group I (*i.e.*, claims 1-9 and 10-19). Because a restriction requirement is never proper unless the restricted groups of claims are patentably distinct (*i.e.*, *inter alia*, non-obvious under 35 USC Section 103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

Applicants reserve the right to file a divisional application directed to the subject matter of the non-elected claims prior to the termination of proceedings in the subject application or in any continuing application based thereon.

Respectfully submitted,
NIXON & VANDERHYE P.C.



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